

**Lance J.M. Steinhart, P.C.**

Attorneys At Law  
1725 Windward Concourse  
Suite 150  
Alpharetta, Georgia 30005

Also Admitted in New York  
Email: lsteinhart@telecomcounsel.com

Telephone: (770) 232-9200  
Facsimile: (770) 232-9208

August 29, 2018

**VIA ELECTRONIC DELIVERY**

Office of Administration  
Public Utilities Commission of Ohio  
180 E. Broad St.  
Columbus, OH 43215-3793  
(614) 466-3016

Re: **In the Matter of Petition of AT&T Ohio Seeking to Relinquish its Eligible Telecommunications Carrier Designation in a Portion of its Service Territory; Case No. 17-1948-TP-UNC**

Dear Madam/Sir:

Enclosed for filing in the above-referenced docket, please find the Comments of AIR VOICE WIRELESS, LLC ("Air Voice" or the "Company") in Response to the Commission's June 28, 2018 Notice for Comments concerning The Ohio Bell Telephone Company dba AT&T Ohio's ("AT&T Ohio") Relinquishment of its eligible telecommunications carrier ("ETC") designation in portions of its service area in the State of Ohio.

If you have any questions, or if we may provide you with additional information, please do not hesitate to contact Lance Steinhart at (770) 232-9200 or lsteinhart@telecomcounsel.com. Thank you for your attention to this matter.

Respectfully submitted,

*/s/ Lance J.M. Steinhart*

---

Lance J.M. Steinhart  
Managing Attorney  
Lance J.M. Steinhart, P.C.  
1725 Windward Concourse, Suite 150  
Alpharetta, Georgia 30005  
(770) 232-9200 (Phone)  
(770) 232-9208 (Fax)  
E-mail: lsteinhart@telecomcounsel.com

*Attorneys for AIR VOICE WIRELESS, LLC*

Enclosures  
cc: Jim Bahri

**BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE PETITION OF )  
AT&T OHIO SEEKING TO RELINQUISH )  
ITS ELIGIBLE TELECOMMUNICATIONS )  
CARRIER DESIGNATION IN A PORTION )  
OF ITS SERVICE TERRITORY )  
)**

**Case No. 17-1948-TP-UNC**

**COMMENTS OF AIR VOICE WIRELESS, LLC  
IN RESPONSE TO JUNE 28, 2018 NOTICE FOR COMMENT**

COMES NOW AIR VOICE WIRELESS, LLC (“Air Voice” or the “Company”) and files these Comments in response to the Commission’s June 28, 2018 Notice for Comment, directing that Air Voice submit comments on or before August 31, 2018, indicating whether it is willing and able to ensure that all customers currently served by The Ohio Bell Telephone Company dba AT&T Ohio (“AT&T Ohio”) in its respective service area will continue to be served with the federal Lifeline discount, if the customer is eligible, in the event that the Public Utilities Commission of Ohio (the “Commission”) grants AT&T Ohio’s request to relinquish its eligible telecommunications carrier (“ETC”) designation for purposes of universal service fund support in the majority of its service area in Ohio. The Commission further seeks Air Voice to identify whether such Lifeline service will be provided on a wireline or wireless and facilities or resale basis.

Air Voice was originally granted ETC status by the Commission on May 28, 2014 throughout the service areas approved in Case No. 13-952-TP-UNC. It is Air Voice’s intent to continue to make available its wireless Lifeline service with the federal discount to its current subscribers and all qualifying applicants that it is able to serve. As disclosed in its original application, Air Voice offers Lifeline service primarily through the resale of facilities-based wireless carriers’ services and facilities. This Commission is aware that the Federal

Communications Commission (“FCC”) is considering whether to disallow the participation of wireless resellers in the Lifeline program altogether.<sup>1</sup> Specifically, in its *Fourth Report and Order*, the FCC sought “comment on discontinuing Lifeline support for service provided over non-facilities-based networks,” and proposed “limiting Lifeline support to broadband service provided over facilities-based broadband networks that also support voice service,” and further sought comment on the transition period for implementing this approach.<sup>2</sup>

Air Voice appreciates that this Commission filed comments with the FCC on February 21, 2018 opposing the elimination of support for non-facilities-based Lifeline providers.<sup>3</sup> Air Voice, along with other Lifeline providers, has also actively opposed this and other proposals in the NPRM that would impede Air Voice’s ability to continue to provide Lifeline service.<sup>4</sup>

In summary, Air Voice intends to continue to offer Lifeline service to qualifying subscribers throughout its service territory in Ohio unless prohibited directly from doing so by the FCC or unless the FCC imposes regulations that would result in less-direct but equally harmful requirements (such as its consideration of a requirement that wireless resellers pass 100% of federal support through to its underlying facilities-based provider). Once the FCC issues its

---

<sup>1</sup> See Bridging the Digital Divide for Low-Income Consumers, Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, WC Docket Nos. 17-287, 11-42, 09-197, Fourth Report and Order, Order on Reconsideration, Memorandum Opinion and Order, Notice of Proposed Rulemaking (“NPRM”), and Notice of Inquiry, FCC 17-155 (rel. Dec. 1, 2017) (“*Fourth Report and Order*”), §§ 67–73.

<sup>2</sup> *Id.*

<sup>3</sup> See Comments Submitted on Behalf of the Public Utilities Commission of Ohio, WC Docket No. 17-287 et al. (filed Feb. 21, 2018).

<sup>4</sup> See Comments of the National Lifeline Association, WC Docket No. 17-287 et al. (filed Feb. 21, 2018); Reply Comments of the National Lifeline Association, WC Docket No. 17-287 et al. (filed Mar. 23, 2018); *Ex Parte* Letter from John J. Heitmann, Counsel to the National Lifeline Association, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 17-287 et al. (filed May 4, 2018).

decision on this matter, should anything necessitate a prospective change in Air Voice's approach to the Ohio Lifeline marketplace, Air Voice will inform the Commission.

Based on the foregoing, Air Voice does not object to AT&T Ohio's application to relinquish its ETC designation for purposes of universal service fund support and Air Voice stands ready to offer its wireless Lifeline service options to eligible Lifeline subscribers in Ohio, provided that the FCC does not take action to ban or limit the participation of wireless resellers in the Lifeline program.

Please feel free to contact me if you wish to discuss this matter further or have any questions.

Respectfully submitted,

**AIR VOICE WIRELESS, LLC**

By: /s/ Lance J.M. Steinhart

Lance J.M. Steinhart  
Managing Attorney  
Lance J.M. Steinhart, P.C.  
1725 Windward Concourse, Suite 150  
Alpharetta, Georgia 30005  
(770) 232-9200 (Phone)  
(770) 232-9208 (Fax)  
lsteinhart@telecomcounsel.com (E-Mail)

*Attorneys for AIR VOICE WIRELESS, LLC*

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**8/29/2018 10:43:34 AM**

**in**

**Case No(s). 17-1948-TP-UNC**

Summary: Comments In the matter of petition of AT&T Ohio seeking to relinquish its ETC designation in a portion of its service territory. electronically filed by Lance Steinhardt on behalf of Air Voice Wireless, LLC